

COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)

Docket No.  
46598-00007

In Re Application Of: Rao et al.

OCT 18 2004

Application No. 09/811,766	Filing Date 03/19/01	Examiner Michael V. Meller	Customer No. 35161	Group Art Unit 1654	Confirmation No. 9295
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Invention: **PROCESS FOR THE PREPARATION OF PROTEIN HYDROLYSATE FROM LEGUMES**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of June 15, 2004 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated June 15, 2004 finally rejecting Claim(s) **1 through 10, 12 and 14 through 18.**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: September 15, 2004 until: October 15, 2004  
Date Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$340.00

Fee for Extension of Time: \$110.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$450.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of **\$450.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **04-1061.**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☐ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **04-1061**.

☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

10/19/2004 JADD01 00000068 09811766

110.00 OP  
340.00 OP  
01 FC:1251  
02 FC:1401

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09/811,766	03/19/01	Michael V. Meller	35161	1654	9295

**Invention: PROCESS FOR THE PREPARATION OF PROTEIN HYDROLYSATE FROM LEGUMES**

**TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

  
Signature

**Dated: October 15, 2004**

**Thomas T. Moga, Registration No. 34,881**  
**DICKINSON WRIGHT PLLC**  
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**(248) 433-7552**

### Certificate of Transmission by Facsimile\*

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## Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on

**October 15, 2004**

(Date)

**Signature of Person Mailing Correspondence**

**Thomas T. Moga**

***Typed or Printed Name of Person Mailing Correspondence***

**cc: docketing**